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July 12, 2010

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Portals
Washington, DC 20554

Re: WC Docket No. 10-90
GN Docket No. 09-51
WC Docket No. 05-337

Dear Ms. Dortch,

Enclosed herewith for filing in the above-referenced dockets are the Comments of National LambdaRail, Inc.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'James M. Smith', written over the printed name.

Randall B. Lowe
James M. Smith

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In The Matter Of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
A National Broadband Plan For Our Future)	GN Docket No. 09-51
)	
High-Cost Universal Service Support)	WC Docket No. 05-337

**COMMENTS OF
NATIONAL LAMBDA RAIL, INC.**

National LambdaRail, Inc. (“NLR”), by its attorneys and pursuant to the Commission’s *Notice of Inquiry and Notice of Proposed Rulemaking* (FCC 10-58, rel. April 21, 2010) (the “Notice”), hereby submits its Comments in the above-captioned proceedings.¹ As the Commission has recognized in its Rural Health Care Pilot Program (“RHCPP”) proceeding, NLR is a “not-for-profit nationwide backbone network, dedicated to educational, clinical, and research goals.”² NLR has actively participated in the Commission’s efforts to develop its National Broadband Plan.³

¹ NLR is a member of the Schools, Health and Libraries Broadband Coalition (“SHLB Coalition”), which also is filing Comments in this proceeding today.

² See *In the Matter of Rural Health Care Support Mechanism* (Order on Reconsideration), 22 FCC Rcd 2555 (2007) (“RHCPP Reconsideration Order”).

³ See Comments of NLR in CC Docket No. 02-6 & CC Docket No. 09-51, filed July 9, 2010; Comments of NLR in GN Docket No. 09-51, filed June 8, 2009; Reply Comments of NLR in GN Docket No. 09-51, filed July 21, 2009; Reply Comments of U.S. R&E Networks in GN Docket Nos. 09-47, 09-51 and 09-137, filed Jan. 27, 2010; Reply Comments of Commenters Supporting Anchor Institution Networks in GN Docket Nos. 09-47, 09-51 and 09-137, filed Jan. 27, 2010.

I. Statement of Interest

NLR recognizes that this initial proceeding looking toward the creation of a Connect America Fund (“CAF”) is focused primarily on issues such as developing a model for determining appropriate support models in unserved areas and accelerating a transition of funding to the development of broadband network in such areas. In these brief Comments NLR simply wishes to draw the Commission’s attention at the outset to the broader issue of forging a CAF that will also “provide any ongoing support necessary to sustain service in areas that require public funding, including those areas that already may have broadband.”⁴ Reforming and expanding the highly beneficial E-Rate program can serve this need for America’s schools and libraries, as NLR, the SHLB Coalition and many others have proposed in recent comments in the pending E-Rate reform proceeding,⁵ but for other community anchor institutions, no support mechanism has been identified to date for the ongoing costs of critical high-speed broadband services. The CAF could fill that gap.

NLR, in partnership with Internet2 and others, recently was awarded a Critical Communications Infrastructure grant of more than \$62.5 million in the “BTOP” program administered by the NTIA to construct the United States Unified Community Anchor Network (“U.S. UCAN”), an advanced 100 Gigabit per second network backbone that will link regional networks across the nation.⁶ U.S. UCAN’s coast-to-coast advanced infrastructure will, in partnership with regional and state research and education (“R&E”) networks, connect America’s community anchor institutions—schools, libraries, community colleges, health centers and

⁴ Notice at ¶¶ 2, 9.

⁵ See comments filed July 9, 2010 on the *Notice of Proposed Rulemaking* in CC Docket No. 02-6 & GN Docket No. 09-51.

⁶ See NTIA Award Factsheet, at http://www2.ntia.doc.gov/files/grantees/ALL_USCAID.pdf; NLR press release at <http://www.nlr.net/release.php?id=62>

public safety organizations—to enable advanced applications not possible with today’s typical Internet service. U.S. UCAN fills a critical gap, linking community anchor institutions together into an open, national network with next-generation capabilities, operated with end-to-end transparency and the high levels of performance uniquely suited to the needs of this community. U.S. UCAN will ensure that life-changing applications, such as telemedicine and distance learning are available to all community anchor institutions, including those in areas previously considered too remote or economically depressed to support advanced network services.

The U.S. UCAN project is intended to fulfill a key Recommendation of the Commission’s National Broadband Plan, Recommendation 8.22:

The federal government and state governments should develop an institutional framework that will help America’s anchor institutions obtain broadband connectivity, training, applications and services.⁷

In this Recommendation, the Commission endorsed the establishment of a Unified Community Anchor Network (“UCAN”), of which the U.S. UCAN can be a critical part, and pointed to the R&E networks of NLR and Internet2 as logical and valuable assets in bringing advanced broadband connectivity to the nation’s community anchors under the umbrella of a UCAN.⁸

⁷ *Connecting America: The National Broadband Plan*, rel. Mar. 16, 2010, Recommendation 8.22.

⁸ *Id.* at p. 154: “In the past, the connectivity needs of research institutions have been met by non-profit research and education (R&E) networks such as Internet2 and National LambdaRail . . . Today, similar R&E networks provide high-speed (10 Mbps-1 Gbps) connectivity to 66,000 community anchor institutions. But more can be done—it is estimated that only one-third of anchor institutions have access to an R&E network today. This model should be expanded to other community institutions. A group of R&E networks, including Internet2 and the National LambdaRail, . . . have proposed that the federal government and state governments create a non-profit coordinating entity, the “Unified Community Anchor Network,” that would support and assist anchor institutions in obtaining and utilizing broadband connectivity. Expanding the R&E network model to other anchor institutions would offer tremendous benefits. Many community institutions lack the institutional resources to undertake the many tasks necessary to maximize their utilization of broadband. Facilitating collaboration on network design and how best to utilize applications to meet public needs could result in lower costs and a far more efficient and effective utilization of broadband by these institutions. Working with the R&E and non-profit community, the federal government and state governments should facilitate the development of an institutional framework that will help anchor institutions obtain broadband connectivity, training, applications and services.”

II. The Connect America Fund Should Include Initial and Ongoing Support to Serve the Advanced Broadband Needs of Community Anchor Institutions

NLR is poised to provide advanced broadband services to community anchor institutions throughout the nation, with local, regional and national connectivity, individually and through U.S. UCAN. The key remaining questions are whether community anchors will be able to obtain the connections and afford the recurring costs of these services and the sustainability of the networks used to provide those services. NLR submits that, in addition to reforming the E-Rate program to permit such support for schools and libraries, the Connect America Fund should, among its other mandates, address the critical needs of community anchors in the following ways:

1. CAF funding should be made available to build broadband facilities to community anchor institutions and to connect such institutions directly to regional and national R&E networks, as recognized in the RHCPP.
2. CAF support should be made available to sustain the networks and services of regional and national R&E networks that are provided to community anchor institutions.

In short, the CAF should address both the particular needs of community anchor institutions and the regional and national R&E networks used to support them because of the essential services that such institutions and networks offer to low-income, disabled, elderly and other underprivileged populations throughout America. Stated differently, using CAF funding for those purposes will improve the nation's broadband performance, fulfill the goals of the National Broadband Plan and improve essential health and educational services to consumers.

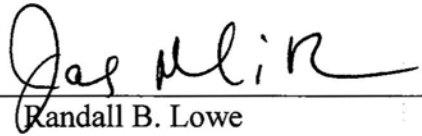
III. CONCLUSION

As the National Broadband Plan recognizes, the ability of community anchor institutions to utilize the services of R&E networks would yield "tremendous benefits," including higher

speeds, lower prices, greater redundancy, increased competition and more efficient and effective utilization of broadband services by these institutions.⁹ NLR respectfully urges the Commission, therefore, to support such goals by using the CAF to sustain connections to and use of broadband services and networks by community anchor institutions, both in its E-Rate program and in the Connect America Fund.

Respectfully submitted,

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July 12, 2010

⁹ *Id.*